

## REMARKS

The Abstract and the specification were objected to based upon formal matters which have been cured in this Amendment. Entry is requested and withdrawal of the objections is requested.

5            The claims have been amended to further define the structure of the sealing member. New claims 20-35, including new independent claims 25 and 32, have been presented. Independent claims 25 and 32 recite similar structural limitations to amended independent claim 1. Independent claim 25 claims a user interface. Independent claim 32 claims a sealing member for a user interface. Entry and consideration of new claims 20-35 is requested.

10           Claims 1-18 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by United States Patent No. 6,513,526 to Kwok et al. Reconsideration and withdrawal of the rejection is requested.

15           Kwok discloses a cushion for a face mask. The cushion of Kwok has a triangularly shaped frame (32) formed integrally with a rim (40) and a membrane (34). The frame (32), rim (40) and membrane (34) all have homogeneous a cross-sectional thickness about the triangularly shaped cushion.

20           Applicants have amended independent claim 1 to require that the outer sealing member has a peripheral wall which is arranged about an opening in the mask body and includes a bridge region aligned with a patient's nasal bridge. The bridge region has a thinner cross-section than the remainder of the peripheral wall. Both new independent claims 25 and 32 require a sealing member with peripheral wall as recited in amended claim 1. The bridge region of the peripheral wall has a reduced material thickness (claim 25) and a cross-sectional thickness (claim 32).

The configuration of the sealing member recited in independent claims 1, 25 and 32  
enables the sealing member to comfortably accommodate different nasal profiles. The reduced  
thickness of the peripheral wall in the bridge region increases the seal's flexibility adjacent the  
user's nasal bridge. The pliable thin bridge region enables the seal to conform to different facial  
5 geometries (different nose shapes in particular) to increase user comfort and improved facial  
sealing. The claimed seal has the combined advantage of increasing user acceptance of the  
administered treatment (by providing a more comfortable user interface) and increasing the  
treatment efficacy by reducing leakage. Leaks about the nasal bridge can also be detrimental to  
user comfort (therefore treatment acceptance) as the expelled gases are inevitably directed is  
10 directed toward the user's eyes, causing drying and irritation.

Independent claim 1 has been amended to specify:

- The sealing member being arranged about an opening in the mask body and including a peripheral wall.

Support for this amendment is provided at page 6, lines 23-26 which states  
15 “The inner cushion 1110 is located around the outer periphery 1114 of the open  
face 1116 of the hollow body 1102. Similarly the outer sheath 1112 may be  
commonly attached as its base 1113 to the periphery 1114 and loosely covers over  
the top of the cushion 1110”. The peripheral wall is illustrated in Figure 24,  
generally indicated by numeral 210.

20

- The peripheral wall including a bridge region that extends over a patient's nasal bridge.

Support for this amendment is provided at page 8, lines 15-17 which states

“to improve the comfort to the patient, the nasal mask 200 includes a thin bridge section 203 in the nasal bridge region of the outer sealing member 201, that is, that part extending over the nasal bridge of a patient’s nose.”

Dependent claims 2, 7 11 and 12 have been amended for clarity and consistency with the  
5 amendments to independent claim 1. Claims 3, 5, 8, 9 and 13-18 have been canceled.

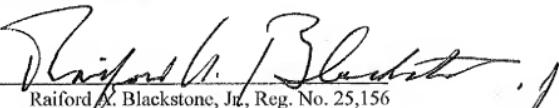
Applicants have added new dependent claims 20-24. New dependent claim 20 recites features previously presented in dependent claims 10-12. Support for claims 21-24 is provided on the paragraphs on page 7, lines 22-28 and page 10, lines 19-23.

Applicants have introduced new independent claims 25 and 32, with associated  
10 dependent claims 26-31 and 33-35. New independent claims 25 and 32 and associated dependent claims 26-31 and 33-35 recite features present in the proceeding claims. Independent claim 25 recites features presented in claim 1. Independent claim 32 recites features presented in claim 1 and 21. Support for the specific configuration of the seal (such as being arranged in a loop) is derived from the Figures.

15 Therefore, Applicants submit that Kwok does not anticipate claims 1-18 and new claims 20-35. Allowance is requested.

If the Examiner has any questions regarding this Amendment, the Examiner is invited to contact one of the undersigned at 312/704-1890.

Respectfully submitted,

5 

Dated: Mar. 23, 2010

By:

Raiford A. Blackstone, Jr., Reg. No. 25,156  
Linda Z. Palomar, Reg. No. 37,903  
TREXLER, BUSHNELL, GIANGIORGI  
BLACKSTONE & MARR, LTD.

10 105 W. Adams Street  
Suite 3600  
Chicago, Illinois 60603  
(312) 704-1890

15 AM3524.WPD